

SEP. 18. 2007 6:25PM

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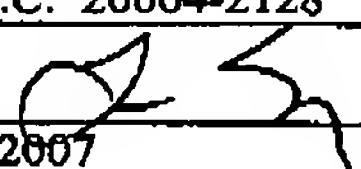
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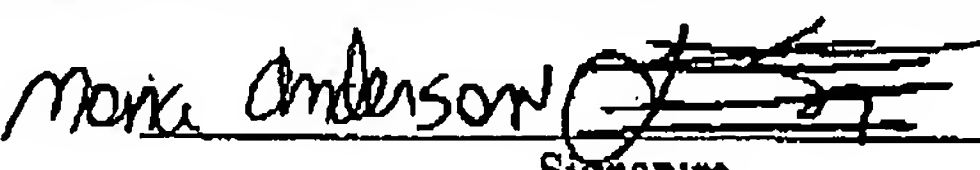
NO. 0992 P. 1

SEP 18 2007

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/588,840
		Filing Date	August 8, 2006
		First Named Inventor	T. Gordon McMahon
		Group Art Unit	Unknown
		Examiner Name	Unknown
Total Number of Pages in This Submission	32	Attorney Docket Number	044108.001000

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition Under 37 C.F.R. 1.47(a) with attachment (Exhibit 1) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the U.S. Designated/Elected Office with copy of Notification of Missing Requirements and associated papers attached
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lawrence Sung (Registration No. 38,330) Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	September 18, 2007

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300	
September 18, 2007 Date	 Signature Moira Anderson Typed or printed name

SEP. 18. 2007 6:25PM

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SEP 18 2007

NO. 0992 P. 2

**FEE TRANSMITTAL
FOR FY 2005**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$2,090.00)

Complete if Known

Application Number	10/588,840
Filing Date	August 8, 2006
First Named Inventor	T. Gordon McMahon
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	044108.001000

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
19-2380Deposit Account Name
Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
0	-88**	0 X	0
0	-10**	0 X	\$
Multiple Dependent		X	0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater. For Reissues, see above

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01 FC:1633 200.00 DA
02 FC:1641 100.00 DA
03 FC:1617 130.00 DA**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	1,590.00
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	200.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify): Search Fee and Examination Fee

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$2,090.00)

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

September 18, 2007
DateMona Anderson
Signature
Mona Anderson
Typed or printed name**SUBMITTED BY**

Name (Print/Type) Lawrence Sung

Signature

Registration No.
(Attorney/Agent)

38,330

Complete (if applicable)

Telephone (202) 585-8221

Date September 18, 2007

SEND TO: Commissioner for Patents
P.O. Box 1450

PAGE 2/14 * RCVD AT 9/18/2007 6:00:02 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-3/5 * DNIS:2738300 * CSID:866 741 0075 * DURATION (mm-ss):03-48

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NO. 0992 P. 8

SEP 18 2007

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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,840	Gordon T. McMahon	003.2002
INTERNATIONAL APPLICATION NO.		
PCT/US05/04518		

49837

LAWRENCE SUNG0- S2IPLAW, PLLC
 401 9TH STREET, NW
 SUITE 900-NIXON PEABODY LLP
 WASHINGTON, DC 20004-2128

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APR 07 2007

NIXON PEABODY LLP

I.A. FILING DATE	PRIORITY DATE
02/10/2005	02/10/2004

CONFIRMATION NO. 1056

371 FORMALITIES LETTER



OC000000023265994

Date Mailed: 04/05/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/08/2006
- Copy of the International Search Report filed on 08/08/2006
- Preliminary Amendments filed on 08/08/2006
- Request for Immediate Examination filed on 08/08/2006
- U.S. Basic National Fees filed on 08/08/2006
- Priority Documents filed on 08/08/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$430 for a Large Entity:

- \$130 Surcharge.

DOCKETED BY kd/sow / 4/11/07

VERIFIED BY

Nixon Peabody LLP

SEP 18 2007

- The application search fee has not been paid. Applicant must submit \$100 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit \$200 to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,840	PCT/US05/04518	003.2002

FORM PCT/DO/EO/905 (371 Formalities Notice)

SEP 18 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: T. Gordon McMahon.

Confirmation No.: 1056

Serial No.: 10/588,840

Art Unit: To Be Assigned

International Application No. PCT/US05/04518

Filed: August 8, 2006

Examiner: To Be Assigned

For: *Plant Nutrient Reduction System*

Attorney Docket No: 044108.001000

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

U.S. Patent and Trademark Office
Randolph Building – Customer Service Window
401 Dulany Street
Alexandria, Virginia 22314
MAIL STOP – MISSING PARTS

Sir:

In response to the Notification of Missing Requirements mailed by the U.S. Patent and Trademark Office on April 5, 2007 transmitted herewith for filing in the subject application are the following documents:

1. Declaration for Non-Provisional Patent Application;
2. Return Copy of the Notification Missing Requirements;
3. Petition under 37 C.F.R. §1.47(a) and
4. Exhibit 1: Declaration of Adam C. Brink in Support of Petition.

Additionally, it is respectfully requested that the time for responding to the Notice to File Missing Parts be extended for a period of four months from April 5, 2007 to October 5, 2007 for which the total fee for a large entity is estimated to be \$1,590.00.

The Commissioner is authorized to charge any additional fees associated with this Response or credit any overpayment to Nixon Peabody LLP Deposit Account No. 19-2380.

Application No. 10/588,840
Atty. Docket No. 044108.001000

The documents and fees submitted herewith complete the filing of the above patent application and justify the filing date of August 8, 2006.

Respectfully submitted,



Date: September 18, 2007

By: _____

Lawrence Sung
Registration No. 38,330

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000